

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,)	
)	
Plaintiff,)	ORDER
)	
vs.)	
)	
Jacob Bradley Demarais,)	Case No. 1:21-cr-130
)	
Defendant.)	

On July 30, 2021, the court issued an order conditionally releasing defendant so that he could participate in an inpatient psychosexual related dysfunction treatment program at Alpha Human Services (“Alpha”) in Minneapolis, Minnesota. (Doc. No. 24). The order provided in part that, upon his discharge or termination from Alpha's inpatient treatment program, defendant was to report to the United States Marshal's office in Bismarck with the understanding that he would be detained pending further order of the court.

On October 14, 2021, defendant filed a Motion to Modify Pretrial Release. (Doc. No. 29). He advises that Alpha has approved him for its outpatient program pending approval from the court. He requests to be released to the residence of his uncle, Mark Demarais, in Coleraine, Minnesota, and allowed to attend outpatient treatment through Alpha upon completing inpatient treatment.

The court **GRANTS** defendant's motion (Doc. No. 29). Defendant is authorized to attend outpatient treatment through Alpha upon completing Alpha’s inpatient treatment program. Defendant's release conditions are as follows:

- (1) Defendant must not violate federal, state, tribal, or local law while on release.
- (2) Defendant must appear in court as required and must surrender to serve any sentence

imposed.

- (3) Defendant shall report to the Pretrial Services Officer at such times and in such manner as designated by the Officer.
- (4) Defendant shall not possess a firearm, destructive device, or other dangerous weapon.
- (5) Defendant shall submit to Active GPS location monitoring. He shall pay all or part of the costs of participation in the location monitoring program as directed by the Court and the Pretrial Service Officer.
- (6) Defendant shall reside at Alpha's facility, fully participate in its programming, and abide by all of its rules and regulations. He shall be responsible for all costs associated with the Alpha's inpatient treatment programming. He shall sign the necessary releases of information for the Pretrial Services Office to monitor his progress in the program.
- (7) Defendant shall be restricted to Alpha's facility except for employment, education, religious services, medical, substance abuse or mental health treatment, attorney visits, court appearances, court-ordered obligations or other activities as pre-approved by the Pretrial Services Office.
- (8) Defendant shall not associate with persons under the age of 18 except in the presence of a responsible adult who is aware of the nature of the defendant's background and current offense and who has been approved by the Pretrial Services Officer.
- (9) Defendant shall surrender any passport to the Clerk of District Court.
- (10) Defendant shall not possess or use a computer or have access to any on-line service

without the prior approval of the Pretrial Services Office. Defendant's cooperation shall include, but not be limited to, allowing installation of a computer and Internet monitoring program and/or identifying computer systems, Internet-capable devices, and similar memory and electronic devices to which the defendant has access. Monitoring may include random examinations of computer systems along with Internet, electronic, and media storage devices under the defendant's control. The computer system or devices may be removed for a more thorough examination, if necessary.

- (11) Defendant shall submit his person, residence, vehicle, and/or possessions to a search conducted by a Pretrial Services Officer at the request of the Pretrial Services Officer. Failure to submit to a search may be grounds for revocation of pretrial release. Defendant shall notify any other residents that the premises may be subject to searches pursuant to this condition.
- (12) Upon his discharge from Alpha's inpatient treatment program, defendant shall be placed in the third party custody of uncle, Mark Demarais, who agrees (1) to supervise the defendant in accordance with all conditions of release, (2) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (3) to notify the Pretrial Services Officer immediately in the event the defendant violates any conditions of release or disappears.
- (13) Upon his discharge from Alpha's inpatient treatment program, defendant shall reside with his uncle, Mark Demarais in Coleraine, Minnesota. Defendant shall not change this residence without prior approval of the Pretrial Services Officer. Defendant shall

be restricted to his uncle's residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities as pre-approved by the officer.

- (14) While residing at his uncle's residence, defendant shall fully participate in Alpha's outpatient treatment programming. He shall be responsible for all costs associated with this programming. He shall sign the necessary releases of information for the Pretrial Services Office to monitor his progress in the programming.

IT IS SO ORDERED.

Dated this 18th day of October, 2021.

/s/ Clare R. Hochhalter

Clare R. Hochhalter, Magistrate Judge
United States District Court